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10 UNITED STATES DISTRICT COURT  
11 EAS,TERN DISTRICT OF CALIFORNIA  
12 FRESNO DIVISION  
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15 DOUGLAS E. BUITRAGO,  
16 Plaintiff,  
17 v.  
18 KILOLO KIJAKAZI,  
19 Acting Commissioner of Social Security,  
20 Defendant.  
21

No. 1:20-cv-01505-BAM

STIPULATION AND ORDER FOR EXTENSION  
TO FILE DEFENDANT'S RESPONSIVE BRIEF

22 The parties stipulate through counsel that Defendant, the Acting Commissioner of Social  
23 Security (the "Commissioner"), shall have a 60-day extension of time to respond to Plaintiff's  
24 Motion for Summary Judgment, extending the date on which Defendant's responsive brief is due  
25 from February 15, 2022, to Monday, April 18, 2022. This is Defendant's second request for an  
26 extension to file the responsive brief. On November 11, 2021, this Court granted Defendant's  
27 Motion for a 76-day extension of time to file a responsive brief (docs. 22,23).  
28

1 Defendant requests this extension in good faith and for good cause. The lead attorney of  
2 record is currently on extended leave and is unable to brief the case by the current due date. The  
3 Commissioner anticipated that the lead attorney would return to the office prior to the current  
4 response date, but recently learned that the lead attorney would be on extended leave. The  
5 Commissioner respectfully requests this additional time to accommodate the lead attorney's  
6 unplanned extended absence or alternatively, to reassign the matter to another attorney.

7 Due to the overall volume of work within the Commissioner's Region IX Office of  
8 General Counsel, neither the undersigned attorney or another attorney in the Region IX Office  
9 anticipate being able to review and respond to Plaintiff's brief by the current due date. Current  
10 staffing limitations caused by planned and unplanned leave of multiple attorneys make immediate  
11 reassignment impractical. Accordingly, the Commissioner respectfully requests an extension of  
12 60 days, until April 15, 2022, to respond to Plaintiff's opening brief.

13 This request is made in good faith and is not intended to delay the proceedings in this  
14 matter.

15 Respectfully submitted,

16 DATE: February 11, 2022

17 /s/ Denise B. Haley  
18 DENISE B. HALEY  
19 Attorney for Plaintiff  
20 (as approved via email on February 8, 2022)

PHILLIP A. TALBERT  
United States Attorney

21 DATE: February 11, 2022

22 By /s/ Carol S. Clark  
23 CAROL S. CLARK  
24 Special Assistant United States Attorney (on behalf  
25 of lead attorney Ellinor Coder)  
26 Attorneys for Defendant  
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**ORDER**

Pursuant to the parties' request, and for good cause shown, IT IS SO ORDERED that Defendant shall have an extension, up to and including April 18, 2022, to respond to Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order (Doc. No. 5.) shall be extended accordingly.

IT IS SO ORDERED.

Dated: **February 11, 2022**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE